

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JERRY CONLEY and GEORGETTA
CONLEY,

2:11-CV-141 JCM (LRL)

Plaintiffs,

V.

WELLS FARGO, et al..

Defendants.

ORDER

Presently before the court is the matter of *Conley, et. al. v. Nat. Default Servicing Corp., et. al.* (Case No. 2:11-cv-00141-JCM-LRL).

Federal Rule of Civil Procedure 4(m) provides: “If a defendant is not served within 120 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice.”

Plaintiff filed the complaint on January 26, 2011. (Doc. #1). Pursuant to Federal Rule of Civil Procedure 4(m), on July 12, 2011, the clerk of the court provided notice to plaintiff that the action would be dismissed as to defendant National Default Servicing Corporation, if plaintiff did not file proof of service of process by August 11, 2011. (Doc. #13).

To date, plaintiff has failed to file proof of service with the court as to National Default Servicing Corporation.

Accordingly,

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1 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the above-captioned case
2 be, and the same hereby is, DISMISSED without prejudice.

3 DATED August 18, 2011.
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5 *James C. Mahan*
6 **UNITED STATES DISTRICT JUDGE**
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